Sexual Assault Program

Major Herman Reinhold

Agenda

Introduction To Sexual Assault Prevention and Response (SAPR) Program

Purpose – Update the field on SAPR Program

Topics: 1. SAPR Program Guidance

2. NGB and JAG Roles

3. JA Training

Conclusion

DoD Policy

- **It is DoD policy to prevent and eliminate sexual assault within the Department by providing comprehensive procedures to better establish a culture of prevention, response, and accountability that enhances the safety and well-being of all DoD members.**

DoDI 6495.02, paragraph 4.

See also DoDD 6495.01, paragraph 4.

SAPR Program Guidance

- **FY 04 & 05 National Defense Authorization Acts**
- **DoD Directive Type Memos (DTMs by Dr Chu & Mr Wolfowitz, Nov 04 – Mar 05)**
- **USAF Policies for Prevention of & Response to SA (8 Jun 05, to be replaced by AFI later)**
- **DoDD 6495.01, Sexual Assault Prevention and Response (SAPR) Program (6 Oct 05)**
- **AR 600-20 Army Command Policy, Chapter 8, SAPR Program (1 Feb 06, and revised 7 Jun 06)**
- **DoDI 6495.02, SAPR Procedures (25 Jun 06)**

SAPR Program Guidance

- **USAF Policy directs ANG to have specific program (paragraph 4.10) and AR 600-20 directs NGB to have specific program (paragraph 8-5i)**
- **NGB Guidance**
  - **NGB-J1 Memos on: Commander's Checklist for Responding to Allegations of SA (15 Jun 05); SA Victim Services Resource Guide (15 Jun 05); and, State SA and Response Coordinator (19 Jul 05)**
  - **Chief, NGB All States Memo on SA Policy (8 Sep 05) ends: "Bottom line: Prevent SA and fully assist victims if it does occur."**

SAPR Program Guidance

- **NGB Guidance**
  - **ANG Memo on Guidance to Wing CC/CVs (28 Feb 06)**
  - **Chief, NGB All States Memo on SAPR Program (12 Jun 06) has focus on several areas:**
    - **Training with NGB video**
    - **Staffing JF HQ SA Response Coordinator positions**
    - **Create a State Guard Limited SA Reporting System**
    - **Build State and Local Programs**
    - **Victim Privacy**
    - **Establish a SA Review Board (SARB)**

SAPR Program Guidance

- **Victim – Witness Assistance Programs**
  - **1982 Victim & Witness Protection Act**
  - **1990 Victim's Rights & Restitution Act**
  - **DoDD 1030.1, Victim & Witness Assistance**
  - **AFI 51-201, *Law, Administration of Military Justice* (Chapter 7, Victim & Witness Assistance) and AR 27-10, *Legal Services, Military Justice* (Chapter 18, Victim/Witness Assistance)**
  - **Department of Justice Programs**
  - **State and Local Compensation Programs (see National Association of Crime Victim Compensation Board (NACVCB) website)**

SAPR Program
NGB Roles

- **Ms Jane Lux, NGB-J1, is the NGB SAPR Program Coordinator**
- **The NGB SAPR Working Group:**
  - **Trains SARCs and VAs with classes at St Louis, Los Angeles and PEC**
  - **Drafts SAPR policy for NGB**
  - **Coordinates ARNG and ANG SAPR policies**
  - **Advises JF HQ SARCs, Unit SARCs, and Unit VAs on cases, as needed**
  - **Receives reports of Sexual Assault**

SAPR Program
NGB Roles

- **NGB SAPR Working Group Members:**
  - **Ms Jane Lux, NGB-J1, 703-601-0577 or jane.lux@ngb.ang.af.mil**
  - **MAJ Lorraine Frojen, NGB-ARNG, 703-607-3293 or lorraine.frojen@us.army.mil**
  - **Ms Denise Lay, ANG/DPFX, 703-607-3213 or jeretha.lay@ngb.ang.af.mil**
  - **Maj Herman Reinhold, NGB-JA, 703-607-2706 or herman.reinhold@ngb.ang.af.mil**

SAPR Program
JA Roles

- **JAs will:**
  - **Advise SARCs and VAs about federal, state and local laws and procedures relating to Sexual Assault**
  - **Advise Commanders, SARCS and VAs about the SAPR and Victim-Witness Assistance Programs**
  - **Assist SARCs in creating MOUs or MOAs with national, state and local agencies to provide services or assistance to victims**
  - **Serve as members of the Sexual Assault Review Boards (see DoDI 6495.02, Enclosure 7)**
  - **Ensure all JAs receive First Responder training (see DoDI 6495.02, Enclosure 6, paragraph E6.3.6)**

SAPR Program
JA Training

- **Program requires training for: all military members (annual training); deploying members; SARCs; VAs; and, First Responders (Health Care Providers, Law Enforcement, Criminal Investigation, Chaplains and Judge Advocates)**
- **Training to be in initial entry training, professional military education and other forums**
- **JAs must get initial and refresher training on: SA Response Policies; DoD Policies; Confidentiality Policy; Victim Rights; Victimology; Sex Offenders; Scientific Standards for Evidence; Recantations and False Information; and, Deployment Issues**

SAPR Program
JA Training

- **Trial Counsel must get initial and refresher training on: SA Response Policies; Military Service Specific Issues; Confidentiality Policy; Evidence; Interviews; and, Sexual Assault Victim Trial Preparation**
- **The USAF JAG School has put SAPR issues into the Judge Advocate Staff Officer Course (JASOC) and the Trial and Defense Advocacy Course (TDAC)**
- **The Army JAG School has put SAPR issues into their Basic Course**
- **The Army Judge Advocate General issued Policy Memorandum 06-5 on mandatory JAG training (10 Jan 06)**

SAPR Program
JA Training

- **PowerPoint materials posted on Army JAGCNet**
  - **JA slides covered: Rapist Typology and Victimology; Victim-Witness Assistance; and, DoD and Army Sexual Assault Policy Training (contact Maj Reinhold for copies)**
  - **Trial Counsel slides covered: Expert Testimony in Sexual Abuse; Forensic and Scientific Evidence in Sexual Assault Cases; Military Rules of Evidence and Sexual Assault Prosecutions; and, Interviewing and Pretrial Preparation of Victims and Witnesses (see Criminal Law Forum, 28 Mar 06 posting by CPT Brewer)**

SAPR Program
JA Training

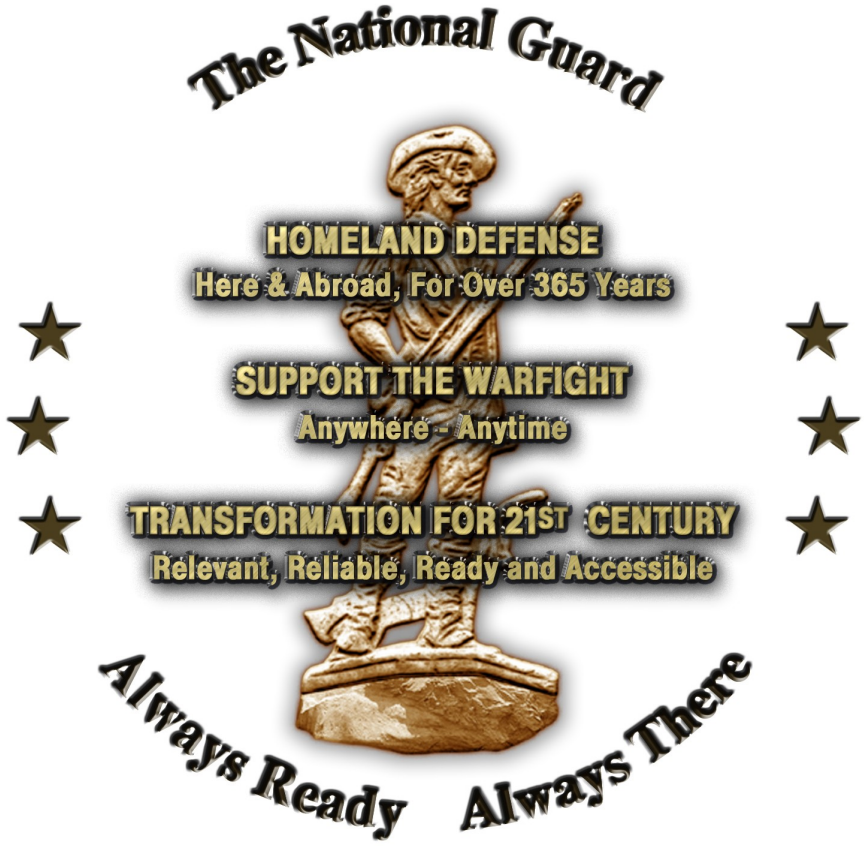
- **Guard JAs need the First Responder Training**
- **Consider running your own training programs with the JAGCNet, TJAGSA or JASOC slides**
- **Points of Contact**
  - **Maj Christopher Leavey or Maj Melanie Keiper, USAF JAG School (334-953-3423/4449, DSN 493)**
  - **LTC Mark Johnson or MAJ James Varley, US Army JAG School (434-971-3344/5, DSN 521)**

Conclusion

The DoD SAPR Program is here.

Be sure you and your JAGs are trained and ready.

Questions?



Major Herman Reinhold

Administrative Law Team, NGB-JA

703-607-2706 DSN 327-2706

herman.reinhold@ngb.ang.af.mil